IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA EASTERN DIVISION

NO.: 7:12-cv-182-BO

MICHAELANNE DENNIS) .
Plaintiff,))
v.) CONSENT ORDER FOR PAYMENT
MICHAEL LACTRIE) OF FEES AND COSTS PURSUANT) TO THE EQUAL ACCESS TO JUSTICE
MICHAEL J. ASTRUE,) TO THE EQUAL ACCESS TO JUSTICE
Commissioner of Social Security,) <u>ACT</u>
Defendant)
)

This matter being submitted to the Court for entry of a Consent Order agreed to by the parties, and it appearing that Plaintiff, by and through his attorney, has executed this Consent Order, and Defendant has executed this Consent Order, by and through the undersigned Special Assistant United States Attorney, and it appearing that the parties have agreed to an award to the Plaintiff of \$6,000.00 for attorney fees in full and final settlement of all claims arising from the above-captioned case pursuant to the Equal Access to Justice Act ("EAJA), 28 U.S.C. §2412(d); and it appearing further that Plaintiff has assigned his right to payment of such fees and costs to his attorney; and

Pursuant to Comm'r of Soc. Sec. v. Ratliff, 560 U.S. 2521, 130 S. Ct. 2521, 177 L.Ed.2d 91 (2010), the fee award will first be subject to offset of any debts Plaintiff may owe to the United States. Defendant will determine whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that Plaintiff does not owe a federal debt, the government will exercise its

discretion and honor the assignment of EAJA fees, and pay the awarded fees to Plaintiff's counsel.

It is therefore ORDERED, this 25th of November, 2013, that Plaintiff shall be, and hereby is awarded the sum of \$6,000.00 in full satisfaction of any and all claims against Defendant arising under the EAJA, 28 U.S.C. § 2412(d), and upon the payment of such sum, Defendant shall be discharged from any further liability for fees, costs or expenses up until this point in time; and it is further

ORDERED, that payment of such amounts shall be made directly to Plaintiff's attorney.

Verence / buyle
United States District Judge

CONSENTED TO:

/s/Michael G. Gillespie
MICHAEL G. GILLESPIE
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Wanda.mason@ssa.gov
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has this day served a copy of the Consent Order For Payment of Fees and Costs Pursuant to the Equal Access to Justice Act on the below listed attorney for defendants by depositing a copy in the United States Mail, postage prepaid and by electronic filing using the CM/ECF system addressed to:

Wanda D. Mason
Attorney for Defendant
Special Assistant United States Attorney
Social Security Administration
Office of the General Counsel
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Maryland State Bar

This is the 25th day of November, 2013

/s/ Michael G. Gillespie

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